

AMENDED IN SENATE AUGUST 22, 2014
AMENDED IN SENATE AUGUST 5, 2014
AMENDED IN SENATE JULY 2, 2014
AMENDED IN ASSEMBLY MAY 8, 2014
AMENDED IN ASSEMBLY APRIL 10, 2014
AMENDED IN ASSEMBLY MARCH 28, 2014
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1840

Introduced by Assembly Member Campos

February 18, 2014

An act to amend Section 49455 of the Education Code, relating to pupil health.

LEGISLATIVE COUNSEL'S DIGEST

AB 1840, as amended, Campos. Pupil health: vision appraisal.

Existing law requires, upon first enrollment in a California school district of a child at a California elementary school, and at least every 3rd year thereafter until the child has completed the 8th grade, the child's vision to be appraised by the school nurse or other authorized person, as specified.

This bill would authorize a child's vision to be appraised by using an eye chart or any scientifically validated photoscreening test. The bill would require photoscreening tests to be performed, under an agreement with, or the supervision of, an optometrist or ophthalmologist, by the school nurse or a trained individual who meets requirements established by the State Department of Education.

This bill would incorporate changes to Section 49455 of the Education Code proposed by SB 1172, to become operative if SB 1172 and this bill are chaptered and become effective on or before January 1, 2015, and this bill is chaptered last.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 49455 of the Education Code is amended
2 to read:
3 49455. (a) Upon first enrollment in a California school district
4 of a child at a California elementary school, and at least every third
5 year thereafter until the child has completed the eighth grade, the
6 child's vision shall be appraised by the school nurse or other
7 authorized person under Section 49452. This appraisal shall include
8 tests for visual acuity and color vision; however, color vision shall
9 be appraised once and only on male children, and the results of
10 the appraisal shall be entered in the health record of the pupil.
11 Color vision appraisal need not begin until the male pupil has
12 reached the first grade. Gross external observation of the child's
13 eyes, visual performance, and perception shall be done by the
14 school nurse and the classroom teacher. The appraisal may be
15 waived, if the child's parents so desire, by their presenting of a
16 certificate from a physician and surgeon, a physician assistant
17 practicing in compliance with Chapter 7.7 (commencing with
18 Section 3500) of Division 2 of the Business and Professions Code,
19 or an optometrist setting out the results of a determination of the
20 child's vision, including visual acuity and color vision.
21 (b) A child's vision may be appraised by using an eye chart or
22 any scientifically validated photoscreening test. Photoscreening
23 tests shall be performed, under an agreement with, or the
24 supervision of, an optometrist or ophthalmologist, by the school
25 nurse or a trained individual who meets requirements established
26 by the department.
27 (c) This section shall not apply to a child whose parents or
28 guardian file with the principal of the school in which the child is
29 enrolling, a statement in writing that they adhere to the faith or
30 teachings of any well-recognized religious sect, denomination, or

1 organization and in accordance with its creed, tenets, or principles
2 depend for healing upon prayer in the practice of their religion.

3 *SEC. 1.5. Section 49455 of the Education Code is amended to*
4 *read:*

5 ~~49455. Upon~~ *(a) (1) During the kindergarten year or upon*
6 ~~first enrollment or entry in a California school district of a child~~
7 ~~at a California pupil at an elementary school, and at least every~~
8 ~~third year thereafter until the child has completed the eighth grade,~~
9 ~~the child's in grades 2, 5, and 8, the pupil's vision shall be~~
10 ~~appraised by the school nurse or other authorized person under~~
11 ~~Section 49452. This evaluation~~

12 *(2) A pupil whose first enrollment or entry occurs in grade 4*
13 *or 7 shall not be required to be appraised in the year immediately*
14 *following the pupil's first enrollment or entry.*

15 *(b) The appraisal shall include tests for visual acuity, including*
16 *near vision, and color vision; however, color vision shall be*
17 *appraised once and only on male children, pupils, and the results*
18 *of the appraisal shall be entered in the health record of the pupil.*
19 *Color vision appraisal need not begin until the male pupil has*
20 *reached the first grade. ~~Gross external observation of the child's~~*
21 ~~*eyes, visual performance, and perception shall be done by the*~~
22 ~~*school nurse and the classroom teacher. The evaluation*~~

23 *(c) The appraisal may be waived, if the child's pupil's parents*
24 *so desire, by their presenting of a certificate from a physician and*
25 *surgeon, a physician assistant practicing in compliance with*
26 *Chapter 7.7 (commencing with Section 3500) of Division 2 of the*
27 *Business and Professions Code, or an optometrist setting out the*
28 *results of a determination of the child's pupil's vision, including*
29 *visual acuity and color vision.*

30 ~~*The provisions of this*~~

31 *(d) A pupil's vision may be appraised by using an eye chart or*
32 *any scientifically validated photoscreening test. Photoscreening*
33 *tests shall be performed, under an agreement with, or the*
34 *supervision of, an optometrist or ophthalmologist, by the school*
35 *nurse or a trained individual who meets requirements established*
36 *by the department.*

37 *(e) Continual and regular observation of the pupil's eyes,*
38 *appearance, behavior, visual performance, and perception that*
39 *may indicate vision difficulties shall be done by the school nurse*
40 *and the classroom teacher.*

1 (f) *This section shall not apply to ~~any child~~ a pupil whose parents*
2 *or guardian file with the principal of the school in which the ~~child~~*
3 *pupil is enrolling, a statement in writing that they adhere to the*
4 *faith or teachings of any well-recognized religious sect,*
5 *denomination, or organization and in accordance with its creed,*
6 *tenets, or principles depend for healing upon prayer in the practice*
7 *of their religion.*

8 (g) *The department shall adopt guidelines to implement this*
9 *section, including training requirements and a method of testing*
10 *for near vision.*

11 *SEC. 2. Section 1.5 of this bill incorporates amendments to*
12 *Section 49455 of the Education Code proposed by both this bill*
13 *and Senate Bill 1172. It shall only become operative if (1) both*
14 *bills are enacted and become effective on or before January 1,*
15 *2015, (2) each bill amends Section 49455 of the Education Code,*
16 *and (3) this bill is enacted after Senate Bill 1172, in which case*
17 *Section 1 of this bill shall not become operative.*